



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Conduct Public Hearing to consider adopting the 2004 California Electrical Code

**MEETING DATE:** June 1, 2005

**PREPARED BY:** Building Official

**RECOMMENDED ACTION:** That the City Council conduct a Public Hearing to consider adopting the 2004 California Electrical Code.

**BACKGROUND INFORMATION:** The State of California has delayed the adoption of the California Building, Plumbing and Mechanical Codes. The State Building Standards Commission has opted to adopt only the 2004 California Electrical Code at this time.

The California Code is based on the 2002 National Electrical Code published by the National Fire Protection Agency. This Code provides minimum standards for public safety and protection against hazards that may arise for the use of electricity. There is no fee increase associated with this adoption.

Pursuant to Health and Safety Code Section 18938, the California Building Standards Commission has selected August 1, 2005 as the effective date of the 2004 California Electrical Code.

Monthly meetings with contractors and interested parties regarding the changes were held in February, March and April 2005. The April code update meeting was advertised and the Builders' Exchange of Stockton and the Building Industry Association of the Delta were notified. There will be one additional Code update closer to the effective date of August 1, 2005.

**FISCAL IMPACT:** NIA

**FUNDING IMPACT:** NIA

  
Jerry Herzick  
Building Official

JH/nme

APPROVED:   
Blair King, City Manager

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING THE "2004 CALIFORNIA ELECTRICAL CODE," WHICH CODE REGULATES THE INSTALLATION, ALTERATION, OR ADDITION OF ELECTRICAL WIRING, DEVICES, APPLIANCES, OR EQUIPMENT IN THE CITY OF LODI; AND REPEALING AND RE-ENACTING SECTIONS 15.16.010 THROUGH 15.16.030 OF THE CODES OF THE CITY OF LODI, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH

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WHEREAS, the City Council of the City of Lodi did on the 4th day of May 2005, schedule a public hearing on the above-entitled ordinance for June 1, 2005, at the hour of 7:00 o'clock p.m., of said day in the Carnegie Forum, 305 West Pine Street, Lodi, California, in accordance with the provisions of Section 50022.1 et seq. of the Government Code; and

WHEREAS, notice of the hearing was published twice in a newspaper of general circulation in accordance with the provisions of Section 50022.3 of the Government Code as appears by the Affidavit of Publication on file therein; and

WHEREAS, at the time set for hearing no protests were received by the City Council.

NOW THEREFORE the City Council of the City of Lodi does ordain as follows:

Section 1. Sections 15.16.010 through 15.16.030 of the Code of the City of Lodi, are hereby repealed and are superseded and replaced by the following new Sections 15.16.010, 15.16.020 and 15.16.030 to read as hereinafter set forth.

Section 2. There is hereby adopted a new Section 15.16.010 of the Code of the City of Lodi to read in full as follows:

Sec. 15.16.010 Adoption

The provisions set forth in the "2004 California Electrical Code", are hereby adopted as the Electrical Code of the City of Lodi. The Electrical Code of the City of Lodi shall apply to all matters pertaining to the installation, alteration, or addition of electrical wiring, devices, appliances, or equipment in the City of Lodi, California; and the enforcement of the rules and regulations as set forth in the 2004 California Electrical Code.

Section 3. There is hereby adopted a new Section 15.16.020 of the Code of the City of Lodi to read in full as follows:

Sec. 15.16.020 Fees

A fee for each electrical permit required by this Code shall be paid to the City of Lodi as set forth in Table 3-A, as modified herein. Fees shall be paid prior to permit issuance.

TABLE 3-A

1. For issuing permits, a fee shall be paid for issuing each permit in addition to all other charges specified in this section	\$20.00
2. For wiring outlets at which current is used or controlled	\$ 1.00
3. For fixtures, sockets, or other lamp holding devices less than eighteen inches apart	\$ 1.00
4. For each five feet or fraction thereof multi-outlet assembly	\$ 1.00
5. For electric discharge lighting fixtures	\$2.00
6. Mercury vapor lamps and equipment	\$2.00
7. Heaters	\$4.00
8. X-ray machines	\$ 5.00
9. Swimming pools	\$30.00
10. Electric ranges, range top and ovens, clothes Dryers, water heaters	\$ 5.00
11. For fixed motors, transformers, welder, rectifier, air conditioners and other miscellaneous equipment or appliances shall be that given in the following table for the rating thereof;	
Up to and including 1 hp	\$ 5.00
Over 1 and not over 5	\$ 7.00
Over 5 and not over 20	\$10.00
Over 20 and not over 50	\$15.00
Over 50 and not over 100	\$20.00
Over 100 – Each motor per hp	\$ .20
12. For any equipment or appliance containing more than one motor or other current consuming components in addition to the motor or motors, the combined electrical ratings, converted to KVA of all shall be used to determine the fee; for the purposed of this subsection one H.P. or one KW is equivalent to one KVA.	

13. The fees for a change of location or replacement of equipment on the same premises shall be the same as that for a new installation. However, no fees shall be required for moving any temporary construction motor from one place to another on the same site during the time of actual construction work after a permit has once been obtained.
14. For switchboards the fees for installing, changing, replacing, relocating, or reinstalling a switchboard, or for additions to an existing switchboard shall be as follows:
- |                           |         |
|---------------------------|---------|
| a) 600 volts and less     |         |
| First switchboard section | \$20.00 |
| Each additional section   | \$10.00 |
| b) Over 600 volts         | \$30.00 |
| Each additional section   | \$15.00 |
15. For distribution panels the fee for each distribution panel, panelboard, or motor control panel that is installed, changed, replaced, relocated or reinstalled \$10.00
16. For service installations, the installation of each set of service conductors and equipment, including changing, replacing or relocating existing service equipment, the fees shall be as shown in the following table:
- | <u>TYPE OF SERVICE UNDER 600 VOLTS (Including One Meter)</u> |         |
|--|---------|
| 0 to 100 Amperes   | \$10.00 |
| 101 to 200 Amperes   | \$20.00 |
| 201 to 500 Amperes   | \$30.00 |
| 501 to 1200 Amperes  | \$40.00 |
| Over 1200 Amperes  | \$75.00 |
| All services over 600 volts                                  | \$75.00 |
| For each additional meter                                    | \$ 2.00 |
17. For single-family dwelling on new construction work, the following flat rate shall apply to service panels, all outlets, range, dryer, and other miscellaneous circuits \$ .035 per SF
18. For multi-family building on new construction work, the following flat rate shall apply to subpanels, all outlets, range, dryer, and any other miscellaneous circuits \$ .035 per SF
19. Signs \$15.00 each
20. Inspections of damaged service \$20.00

No permit shall be issued to any person unless all fees due are paid in full  
OTHER INSPECTION FEES AN REFUNDS

1. Inspections outside of normal business hours  
(Minimum charge – 3 hours) \$45.00 per hour
2. Reinspection fee \$35.00 each
3. Inspections for which no fee is specifically  
indicated \$34.00 per hour
4. Additional plan review required by changes,  
additions or revisions to approved plans  
(Minimum charge – one-half hour) \$34.00 per hour
5. Refunds on all permits shall be subject to a  
\$35.00 administrative processing fee.

Section 4. There is hereby adopted a new Section 15.16.030 of the Code of the City of Lodi to read in full as follows:

Section 15.16.030 Violation – Misdemeanor

- A. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any electrical or permit the same to be done in violation of this Code.
- B. Any person, firm, or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense.

Section 5. - No Mandatory Duty of Care This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 6. - Severability If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 7. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 8. This ordinance shall be published one time in the "Lodi News Sentinel", a newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect August 1, 2005 which date is at least thirty (30) days after its passage of this ordinance.

Approved this \_\_\_\_\_ Day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
JOHN BECKMAN, Mayor

Attest:

SUSAN J. BLACKSTON  
City Clerk

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State of California  
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. \_\_\_\_\_ was introduced at a regular meeting of the City Council of the City of Lodi held June 1, 2005, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held \_\_\_\_\_ by the following vote:

AYES: COUNCIL MEMBERS-

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN COUNCIL MEMBERS

I further certify that Ordinance No. \_\_\_\_\_ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON  
City Clerk

Approved as to Form  
D. STEVEN SCHWABAUER  
City Attorney, City of Lodi

By   
JANICE MAGDICH  
Deputy City Attorney

PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which he annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

May 14th

all in the year 2005.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 14th day of May, 2005

*Diane Rosales*

Signature

RECEIVED

This space is for the County Clerk's Filing Stamp

2005 JUN 13 AM 8:36

CITY CLERK  
CITY OF LODI

Proof of Publication of  
Notice of Public Hearing

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Wednesday, June 1, 2005, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

a) adopting the 2004 California Electrical Code.

Information regarding this item may be obtained in the office of the Community Development Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackstone  
City Clerk

**Dated: May 4, 2005**

Approved as to form

D. Stephen Schwabauer  
City Attorney

May 14, 2005 — 08501777

8501777



# CITY OF LODI

**Carnegie Forum**  
**305 West Pine Street, Lodi**

## NOTICE OF PUBLIC HEARING

**Date:** June 1, 2005

**Time:** 7:00 p.m.

For information regarding this notice please contact:

**Susan J. Blackston**

**City Clerk**

**Telephone: (209) 333-6702**

### NOTICE OF PUBLIC HEARING

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- a) adopting **the 2004** California Electrical Code.

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If you challenge the subject matter in court, you may **be** limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in **written** correspondence delivered to the City Clerk, **221** West Pine Street, at or prior to **the** Public Hearing.

By Order of the Lodi City Council:

A handwritten signature in black ink, appearing to read "Susan J. Blackston".

Susan J. Blackston  
City Clerk

**Dated: May 4, 2005**

Approved as to form:

A handwritten signature in black ink, appearing to read "D. Stephen Schwabauer".

D. Stephen Schwabauer

City Attorney





***Please immediately confirm receipt  
of this fax by calling 333-6702***

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT** SET PUBLIC HEARING FOR JUNE 1, 2005, TO CONSIDER ADOPTING THE  
2004 CALIFORNIA ELECTRIC CODE

**LEGAL AD**

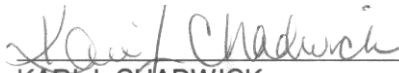
**PUBLISH DATE:** SATURDAY, MAY 14, 2005

**TEAR SHEETS WANTED:** Three (3) please

**SEND AFFIDAVIT AND BILL TO:** SUSAN BLACKSTON, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** THURSDAY, MAY 5, 2005

**ORDERED BY:**

  
KARL J. CHADWICK  
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

**SEND PROOF OF ADVERTISEMENT. THANK YOU!!**

LNS Faxed to the Sentinel at 369-1084 at \_\_\_\_\_ (time) on \_\_\_\_\_ (date) \_\_\_\_\_ (pages)  
Phoned to confirm receipt of all pages at \_\_\_\_\_ (time) \_\_\_\_\_ Jac \_\_\_\_\_ KJC \_\_\_\_\_ Jen (initials)



## **DECLARATION OF POSTING**

### **SET PUBLIC HEARING FOR JUNE 1, 2005, TO CONSIDER ADOPTING THE 2004 CALIFORNIA ELECTRIC CODE**

On Friday, May 6, 2005, in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider adopting the 2004 California Electrical Code, (attached hereto, marked Exhibit "A") , was posted at the following four locations:

Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct

Executed on May 6, 2005, at Lodi, California

ORDERED BY:

**SUSAN J. BLACKSTON**  
**CITY CLERK**

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Jacqueline L. Taylor, CMC  
Deputy City Clerk

  
Kari J. Chadwick  
Administrative Clerk

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Jennifer M. Perrin, CMC  
Deputy City Clerk